



To: All Certified Mediators

From: The Dispute Resolution Commission

Date: April 14, 2020

Regarding: COVID-19 and the Use of Electronic Communication Methods

On April 13, 2020, Chief Justice Beasley entered an [order](#) extending the deadline for filings or acts that otherwise would be due within the period covered by the order, such that those acts will be treated as timely done if done by end of business on June 1. All mediation filings or actions, including filing the Report of Mediator form and Designation of Mediator form, that are due to be filed or to occur on or after March 16<sup>th</sup> and by June 1<sup>st</sup> will be deemed timely if done by June 1<sup>st</sup>. For example, if a deadline to mediate is July 1<sup>st</sup>, the deadline remains July 1<sup>st</sup>. If the deadline to mediate is April 31<sup>st</sup>, the completion of mediation by June 1<sup>st</sup> would be considered timely.

**If the mediation deadline will expire before the time period set out in Chief Justice Beasley's April 13<sup>th</sup> order, and all parties ordered to attend the mediation do not consent to mediate using remote technologies, the parties or the mediator will need to request an extension of the mediation deadline from the court (AOC-DRC-19).**

The mediation deadline shall not delay other proceedings, such as the trial date, but should otherwise be granted freely at the court's discretion. The motion to extend the deadline for completion of the mediation may be made by the judge's own motion, stipulation of the parties, or upon suggestion of the mediator.

Please note, failing to file a mediator designation that becomes due during this window of time should not trigger the court-appointment of a mediator to the case, unless a designation is not filed with the clerk by close of business on June 1<sup>st</sup>. If you receive an order from the court appointing you as the mediator for a matter, please contact court staff to confirm the appointment has been requested by the parties and was not assigned due to the lack of a designation form in the file.

DRC staff is working hard to keep all mediators up-to-date on the latest events surrounding COVID-19. You can find the latest information on our website, [www.NCDRC.gov](http://www.NCDRC.gov), as well as *Important Information for Mediators to Know* for information regarding ADR within NC Courts. Additionally, there are several resources available to assist mediators if they choose to move forward with mediation by using remote technologies.

Please follow state and local news to determine your personal level of risk. Be smart, stay safe. Please do not hesitate to contact DRC staff with any questions or concerns.